

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1387

Introduced by Assembly Member Solorio

February 18, 2011

An act to add Section 3054.5 to the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 1387, as amended, Solorio. Rebuilding Communities and Rebuilding Lives Act of 2011.

Existing law, until January 1, 2011, required the Department of Corrections and Rehabilitation to establish a pilot program in Alameda County for parolees returning to Alameda County to conduct needs-based assessments of the individual parolees, as specified.

This bill would require the California Emergency Management Agency, subject to an appropriation of funds, to establish a Youthful Offender Reentry—~~(Cal-Yor)~~ (*Cal-YOR*) competitive grant program specifically targeting offenders who will be between 16 and 23 years of age upon their release from a local county juvenile facility, the Department of Corrections and Rehabilitation's Division of Juvenile Facilities, probation, or parole to assist in community reintegration upon release, as specified. The reentry programs would include construction training, academic services, counseling, and tracking of graduates after completion of the program. The bill would require the agency to maintain statistical information related to the reentry programs, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3054.5 is added to the Penal Code, to
2 read:
3 ~~3054.5.—(a) This section shall be known as the Rebuilding~~
4 ~~Communities and Rebuilding Lives Act of 2011.~~
5 ~~(b) The Legislature finds and declares all of the following:~~
6 ~~(1) Recidivism rates of youthful offenders in California are~~
7 ~~unacceptably high.~~
8 ~~(2) Relevant studies show that access to education and job~~
9 ~~training programs can play a significant role in reducing recidivism~~
10 ~~rates especially if enrollment takes place immediately upon release~~
11 ~~from incarceration.~~
12 ~~(3) The California Emergency Management Agency debuted~~
13 ~~the California Youthful Offender Reentry competitive grant~~
14 ~~program in 2011 and utilized appropriate federal funding to support~~
15 ~~this program.~~
16 ~~(4) The Legislature intends to continue this program contingent~~
17 ~~upon appropriate funding.~~
18 ~~(e)~~
19 3054.5. (a) (1) The California Emergency Management
20 Agency, to the extent funds are appropriated for the purpose of
21 this section, shall establish a Youthful Offender Reentry ~~(Cal-Yor)~~
22 ~~(Cal-YOR)~~ competitive grant program specifically targeting
23 offenders who will be between 16 and 23 years of age upon their
24 release from a local county juvenile facility, the Department of
25 Corrections and Rehabilitation's Division of Juvenile Facilities,
26 probation, or parole.
27 (2) Grantees shall preenroll eligible youths into eligible
28 community programs, as defined in this section. Priority shall be
29 given to programs that have existed for at least one year prior to
30 the effective date of this section and to those eligible community
31 programs that have operated at any time in the previous three years.
32 (3) Each grantee shall officially enroll each youthful offender
33 into its program no more than 72 hours after release from a
34 described local or state facility. Participation of an eligible youth
35 in any eligible community program shall commence no more than

1 72 hours after release, parole, or discharge from a facility operated
2 by the department or the local entity. Enrollment and participation
3 are subject to the approval of each program or local entity.

4 ~~(d)~~

5 (b) For purposes of this section, an “eligible community
6 program” means, at a minimum, a program that provides all of the
7 following:

8 (1) Integrated education and job training services and activities
9 on an equally divided basis, with 50 percent of participants’ time
10 spent in classroom-based instruction, counseling, and leadership
11 development instruction, and 50 percent of participants’ time spent
12 in experiential job training.

13 (A) The education component described in this paragraph shall
14 include basic skills instruction, secondary education services, and
15 other activities designed to lead to the attainment of a high school
16 diploma or its equivalent. The curriculum for this component shall
17 include math, language arts, vocational education, life skills
18 training, social studies related to the cultural and community history
19 of the participants, and leadership skills.

20 (B) Bilingual services shall be available for individuals with
21 limited English proficiency; and an English learning curriculum
22 shall be provided where feasible and appropriate.

23 (C) A program shall have a goal of a minimum
24 teacher-to-student ratio of one teacher for every 18 students.

25 (D) The job training component described in paragraph (1) shall
26 involve work experience and skills training apprenticeships related
27 to construction and rehabilitation activities *as* described in
28 paragraph (4).

29 (2) Assistance in attaining postsecondary education and in
30 obtaining financial aid shall be made available to participants prior
31 to graduation from the program.

32 (3) Counseling services designed to assist participants in
33 positively participating in society, including all of the following,
34 as necessary:

35 (A) Outreach, assessment, and orientation.

36 (B) Individual and peer counseling.

37 (C) Life skills training.

38 (D) Drug and alcohol abuse education and prevention.

39 (E) Referral to appropriate drug rehabilitation, medical, mental
40 health, legal, housing, and other community services and resources.

1 A program shall have a goal of a minimum counselor-to-participant
2 ratio of one counselor for every 28 participants.

3 (4) Acquisition, rehabilitation, acquisition and rehabilitation,
4 or construction of housing and related facilities to be used for the
5 purpose of providing home ownership for disadvantaged persons,
6 residential housing for homeless individuals and very low income
7 families, or transitional housing for persons who are homeless, ill,
8 deinstitutionalized, or who have disabilities or special needs.

9 (5) Leadership development training that provides participants
10 with meaningful opportunities to develop leadership skills,
11 including decisionmaking, problem solving, and negotiating. A
12 program shall encourage participants to develop strong peer group
13 ties that support their mutual pursuit of skills and values.

14 ~~(e)~~

15 (c) Each eligible community program shall work cooperatively
16 with local probation and parole offices to ensure appropriate
17 oversight of any eligible youth who enrolls and participates in the
18 program for the duration of the eligible youth's participation and
19 term of probation or parole. Eligible community programs shall
20 meet the requirements described in Article 4 (commencing with
21 Section 9800) of Chapter 2 of Part 1 of Division 3 of the
22 Unemployment Insurance Code.

23 ~~(f)~~

24 (d) For purposes of this section, an "eligible youth" means a
25 person between 16 and 23 years of age, who is economically
26 disadvantaged, as defined in Section 12511 of Title 42 of the
27 United States Code, and who is under the custody and control of
28 the Department of Corrections and Rehabilitation, Division of
29 Juvenile Facilities or a county.

30 ~~(g)~~

31 (e) Priority for enrollment shall be given to eligible youths whom
32 the department or local entity has determined to be gang affiliated,
33 or who have an immediate family member who has been identified
34 as gang affiliated.

35 ~~(h)~~

36 (f) The California Emergency Management Agency shall
37 maintain statistical information on the success of this program,
38 including, but not limited to, the number of eligible youths served
39 and the rate of return to custody for those eligible youths who

- 1 enroll and participate in an eligible community program. This
- 2 information shall be provided to the Legislature upon request.

O